

City of Springfield
Work Session Meeting

MINUTES OF THE WORK SESSION MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, OCTOBER 10, 2005

The City of Springfield Council met in a work session in the Jesse Maine Room, 225 Fifth Street, Springfield, Oregon, on Monday, October 10, 2005 at 5:30 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Woodrow, Ballew, Ralston, Fitch, and Pishioneri. Also present were City Manager Mike Kelly, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Councilor Lundberg was absent (excused).

1. City of Coburg Request for Connection to the Metropolitan Wastewater Management Commission (MWMC) Wastewater Facilities.

Environmental Services Manager Susie Smith presented the staff report on this item. The Joint Elected Officials (JEO) of Springfield, Eugene, and Lane County are scheduled to review Coburg's request for sewer services on October 11, 2005. A scoping report has been prepared in response to the JEO direction to assess and report back on the issues, scope of work, timing and resource impacts that would be associated with additional work on the Coburg's request. The report (attached as Exhibit "1") is lengthy and the issues are complex. Therefore, a work session for the Springfield City Council to review this matter with staff has been scheduled prior to the JEO meeting.

The materials attached to this Agenda Item Summary closely replicate the materials that were mailed by the Lane Council of Governments for the October 11, 2005 JEO meeting. The briefing report and attachments are identical, and the letter and position statement from Mayor Volta (included as the front piece of the JEO packet) is included here as Exhibit 3. The minutes of the June 22, 2004 JEO meeting at which the Coburg matter was first discussed, attached as Exhibit 2, reflect the direction that was provided to staff. (See Exhibit 2, pp. 4 and 5).

At the October 11th JEO meeting, the elected officials will be requested to review several key questions (found on page 20 of Exhibit 1) and provide direction to staff on whether and how to proceed further. Because the JEO meeting has been scheduled to enable a discussion amongst the elected officials, staff does not intend to make a presentation on the content of the briefing report. Therefore, time has been scheduled on the Council's October 10th work session to answer any questions council members may have.

Ms. Smith said Peter Ruffier from the City of Eugene would have been in attendance, but he was attending the City of Eugene City Council work session tonight. She acknowledged the work done by Planning Manager Greg Mott who worked on coordinating the regional planning directors and legal counsel information in the enclosed report pertaining to all the land use processes.

Ms. Smith said the report was very long and complex and raised a lot of issues regarding the request from Coburg. She reviewed a couple of the highlights from the report. She said she hoped the elected officials would focus on the seven questions listed on page 20 in the attached exhibit when they met on October 11. She also referred to Attachment A, which was a rough estimate of the cost estimate for follow-up by staff.

Councilor Woodrow asked where the wastewater from Coburg's septic tanks was going now.

Ms. Smith said Coburg had operational drain fields. She noted there was a background on the groundwater nitrate issue.

Councilor Ballew said there were other septic haulers that took discharge to the MWMC plant.

Ms. Smith said periodically folks needed their septic tanks cleaned and mobile waste haulers throughout the county that were permitted with the City of Eugene to haul waste septage, hauled it to the facility and were charged a market rate for dumping.

Councilor Woodrow said Mayor Volta's letter seemed enthusiastic about connecting, yet the report indicated Coburg did not want to connect, but would prefer to build their own system.

Ms. Smith said for Coburg it was a cost issue. She discussed what it would take in order for the MWMC option to be effective to Coburg. She explained the two scenarios using MWMC system development charge (SDC) methodology and based on the direction from Springfield, Eugene and Lane County (SEL) and elected officials who looked at cost scenarios where Coburg would not be subsidized in any way by Eugene and Springfield ratepayers and property tax payers. With that in mind, they modeled Coburg as a new user that was not planned for with the current capacity or the capacity plans. She said those figures were not competitive compared with what Coburg would have to pay to construct their own facility.

Councilor Woodrow asked if the city had been compensated for the time spent pursuing this project. They had not.

Councilor Ballew said staff had already committed to a huge expansion and this request was another huge request. She said it did come down to the cost to Coburg. As a ratepayer, she did not want to subsidize and Coburg had indicated that they would be willing to pay their way. She discussed the difficulties with crossing the McKenzie River with untreated sewage and releasing treated effluent going into the river. There would be a lot of public interest regarding that issue. She referred to the three cost baselines, on page 8 of Exhibit 1, included in the agenda packet. The tables were on pages 9 and 10. She asked for clarification on the base line comparisons.

Ms. Smith explained the baseline comparisons.

Councilor Ballew asked about Scenarios One, Two and Three.

Ms. Smith discussed the different scenarios. The first was the baseline and the other two were the alternatives.

Councilor Ballew discussed the total cost for Coburg if they were to build their own plant.

Councilor Pishioneri said based on documents he had read, the nitrate plume was extending down toward the McKenzie River from Coburg. He said MWMC included the largest areas in the region, Eugene and Springfield. He asked if Coburg was small enough to be a customer or large enough to be a partner. If we didn't form a partnership with them, he was concerned with where Coburg would dump their affluent. We would not have a say in the levels of affluent dumped into the river.

Ms. Smith said if Coburg built their own plant, it would be built quicker than getting through this timeline. Coburg would be permitted by the Department of Environmental Quality (DEQ) and would have to build a plant to the most stringent environmental standards. MWMC had an older plant and was building it up to conformance with those requirements. She said the DEQ was the caretaker of the water quality.

Councilor Pishioneri said he did not understand the benefit to MWMC or Coburg.

Mayor Leiken said it was because they had the largest cluster of recreational vehicle (RV) employment in the west coast. That was the main issue for Coburg. He said the majority of those employed by the RV manufacturers lived in the Eugene or Springfield area.

Mr. Kelly said Coburg wanted to go their own way a couple of years ago, but when they tried to get federal and state assistance, they were asked to look at the regional system first. Coburg started the process to see if it would be cost effective to connect with the regional facility. Coburg realized MWMC had the expertise they lacked at this time. They wanted to continue to grow the RV industry in Coburg.

Councilor Ralston referred to page 1 of Attachment A which listed the amount of funding Coburg was trying to secure for their own treatment system as \$16M. He asked if that was what they were planning to pay for their facility.

Ms. Smith said that was their current estimate in 2004 dollars, including all of their collection system. The treatment plant alone was about \$8.3M. The remainder would be for their collection system, which they would have to build anyway.

Councilor Ralston said when this issue first came up, it made sense to him and he supported it. At that time, Coburg seemed to be willing to pay whatever it cost to join MWMC, but they now seemed like they wanted assistance. He said he had no problem with cooperating with them, but did not want to subsidize. There were a number of complex issues, but it would be for the common good of the region to consider this.

Councilor Fitch said we wanted to be a good neighbor, but other cities were also looking to join MWMC. Our timeline would be longer than building their own, it would put the liability on us, and the cost would be too much. Those living in Eugene and Springfield would not want to pay to give Coburg a good deal. She discussed the decision to be made at the JEO meeting on October 11. She suggested Coburg consider teaming up with smaller communities nearer to Coburg. To date this had cost the city a large amount of staff time and money and she did not want it to cost additional funds. She discussed the timeline.

Councilor Ballew said it came down to a matter of timing. Creswell had put together their own system and Coburg may be best served if they had their own system. She said if it did move forward, they should join as a customer, not a partner.

Councilor Fitch said we could sell expertise as Coburg went through the process.

Councilor Woodrow said he agreed. He had originally supported this and still would but would want to make sure the money would cover all incorporated staff costs and legal costs. Coburg would be better building their own, but he would be supportive of them joining MWMC if they agreed to pay all costs under scenario two and legal costs.

Mayor Leiken asked how long it took Veneta to build their facility.

Technical Services Manager Len Goodwin said the upgrade took about three years.

Mayor Leiken said the appeals on PeaceHealth's proposal to build next to the river took about a year. He anticipated the appeals against a wastewater treatment with a line crossing the river would take a large amount of time. He said it would be up to Coburg once they knew what the costs would be and whether or not it would be more cost effective to build their own facility.

Councilor Fitch asked what the city would have to provide to satisfy the state and federal agencies so they could move forward with grants to Coburg.

Mr. Kelly said the DEQ would be present at the JEO meeting on October 11 to listen to the discussion. He said if collectively elected officials chose an option that would be more expensive for Coburg to join to MWMC than to build their own facility, it would be Coburg's choice. He discussed the options Coburg could choose from. He said the elected officials would be asked to answer the seven questions and give direction to staff during the JEO meeting. Thereafter, it would be Coburg's choice whether or not to proceed and it would be up to the Federal government, the State or Coburg to fund the studies that would need to be done to determine the final cost and timeline.

Ms. Smith said as she spoke with DEQ representatives, Oregon Economic Development representatives and Federal representatives, it appeared they had operated under the presumption of cost effectiveness and that it was a simple thing to do. They were not aware of the complex structure of governance involved in MWMC. MWMC included four governing bodies and each community had a different set of dynamics that came into play. She said the DEQ, State and Federal representatives would probably get a better understanding of that during the JEO meeting. She said she checked into the costs to see why it would cost so much to add Coburg. She discussed the MWMC facilities and the technology and equipment that Coburg may not need, but would be a part of.

Councilor Pishioneri said it was not that we did not want Coburg involved, but they needed to pay their fair share. He said if Coburg was willing to pay, he would approve of them joining.

Councilor Ballew discussed the design of the facilities plan prior to Coburg requesting to join. There were a number of complex issues regarding adding them.

Councilor Pishioneri said if adding Coburg added to MWMC's cost or the timeline, he would not support it.

Councilor Fitch said she was concerned that any legal challenges against the Coburg issue might delay the process.

Councilor Ralston said now was the time for someone to join in, not in a year or five years.

Mr. Kelly said the big issue tonight was cost. Once past cost, environmental issues would then surface as big issues. He discussed some of those issues. He said it was a complex issue.

2. Library Levy Information and Timeline.

Library Director Bob Russell presented the staff report on this item. At a council work session on July 11, 2005, staff presented options for improving and stabilizing the funding for library services, and closing the gap between the service level currently offered by Springfield Public Library and the average service level for other Oregon public libraries of similar size. Among the options presented were two different levels of enhancement levies. After discussion, council asked library staff to come back with a proposal and timeline for a small enhancement levy, to be placed on the ballot in May of 2006.

In deciding what service improvements to include in a levy, staff looked at surveys conducted over the past several years, and at the recommendations of three different citizens committees. These included the Library Long-Range Planning Committee, the Blue Ribbon Panel that put together the Public Safety and Library that appeared on the ballot in November of 2000, and the Citizen Advisory Library Committee appointed by Council in the summer of 2001.

The highest priorities for service improvements were:

- Hours open to the public
- Collections of books and other materials
- Educational and cultural programs for children of all ages
- Educational and cultural programs for adults, with an emphasis on seniors and Latinos

Staff followed these priorities in putting together the proposed levy. The levy, if successful, would achieve improvements in all of these areas, at an annual cost of \$0.1547 per thousand. Attachment 2 shows a summary of the service improvements and costs. Attachment 3 gives more detailed figures on costs.

Attachment 1 is a timeline for a May 2006 election. If council gives us direction to proceed, our next step would be to conduct a public survey, make any indicated adjustments in the proposed levy, and come back to council at its goal-setting session on December 5, 2005.

Councilor Ralston asked what the current budget was for the Library.

Mr. Russell said it was just under \$1.2M.

Councilor Ralston asked about the amount this levy could raise. He confirmed that it would not replace the current budget for services, but would enhance services. He said he would support this if the voters supported it. It was worth improvements to Library.

Councilor Ballew said she was very supportive. She asked what it would take to be open a fourth evening each week. She said as long as they could keep the levy below twenty dollars for one hundred thousand, she would be supportive.

Mr. Russell said he thought they could keep the Library open a fourth night and keep the levy amount under twenty dollars.

Mayor Leiken asked about the recommended hours of operation for a Library in a city of our size.

Mr. Russell said it was about fifty-five to sixty-six. State recommendations suggested sixty hours a week.

Councilor Fitch said her preference would be to reach the recommended average. She suggested adding a fourth night when going out for a levy. She agreed it should be kept below twenty dollars.

Mr. Russell said they could test it at several levels of cost. If it were put on the May 2006 ballot, a double majority would be needed. That may not be an issue as there would be a contested gubernatorial primary which would bring out a large number of voters.

Council consensus was in favor of going forward.

3. Lane County Dog Licensing.

Councilor Pishioneri voluntarily chose to excuse himself from discussion on this item due to a possible conflict of interest.

Police Chief Jerry Smith presented the staff report on this item. On December 12, 2004 Lane County adopted an ordinance which requires veterinarians to report to Lane County Animal Regulation Authority (LCARA) information regarding dogs that receive rabies vaccinations. LCARA then uses that information to check that dogs receiving vaccinations also have county dog licenses, and if not, to enforce compliance.

We have received a letter from LCARA requesting a resolution from Springfield Council enabling enforcement of that ordinance in Springfield. Although the details are not yet in writing, it is our understanding that LCARA wishes to take over sole responsibility for licensing dogs, and that revenue from that licensing could be split with the city on roughly a 60/40 basis, with 40% coming to the City of Springfield. LCARA believes that this program will greatly increase licensing compliance.

Captain Rick Lewis of the Springfield Police Department has participated on a county animal control work group over the last two years and reports that local veterinarians are generally opposed to this approach to license enforcement.

The City of Springfield is currently responsible for licensing dogs and generates between \$16,000 and \$22,000 annually. That revenue is used to offset the \$42,000 annual contract for animal shelter services at LCARA.

Chief Smith introduced Mike Wellington, Director of LCARA.

Mr. Wellington introduced David Suchart, Director of Management Services and Rochelle Jones, Analyst for LCARA.

Chief Smith discussed the letter sent from Mike Wellington to the City of Springfield. He said if the county were to take over the licensing, which was being proposed, there would be an increase in fees for the dog owners.

Mr. Wellington said since Eugene and Lane County adopted this ordinance, there had been a sixteen percent increase in licensing compliance and a \$20,000 increase in revenue. He said they had also noted an increase in the number of animals that had been returned to their owner. He said Springfield currently had a contract with LCARA for housing, and with this program, there should be a decrease in the housing cost for the City of Springfield. He said it was a big benefit. The database was important for tracking purposes and could tell if an animal was inoculated. He explained the urgency for having that knowledge. There was not an issue with rabies in Oregon, because animal control agencies and health departments were very diligent in keeping it under control. He said there was an increase in rabies in bats and cats. He said more dogs need to be inoculated. He said they had seen benefit by a decrease in cost to run their shelter, plus it had freed up the animal control officers to monitor dangerous and vicious dogs.

Councilor Ballew said it sounded like a good thing, but should be up to each city. She expressed frustration that animal control was the responsibility of the county, yet the city had to pay the county for their service. She asked why this was being done now and had not been done in the past.

Mr. Wellington distributed packets entitled "Benefits of Rabies Reporting". He said it should have been done years ago. He said he had been with the county for six years. Every other agency he had worked for had a program like this in place. He referred to the packets he distributed.

Councilor Ballew asked how the fees were set.

Mr. Wellington said it was based on cost recovery. The county was not making any money on this. He said the county had designated five percent of the licensing revenue to go toward spay and neuter vouchers. He discussed the number of vouchers the county had distributed. He said the program was modeled after a program in New Hampshire.

Councilor Ballew asked what it would take for it to be revenue neutral in Springfield.

Chief Smith said if we had the same license fees, Springfield would have to double the amount of dogs licensed. With the increase in fees charged by Lane County, it would not take quite as much.

Councilor Ballew asked how licensing was processed.

Chief Smith said it was done mostly by mail and on-line.

Mr. Wellington said the county had a similar process. He said the county felt they could increase licensing compliance by thirty-six percent in the city limits if Springfield adopted the program.

Councilor Ralston asked about how many dogs someone could own in Lane County.

Mr. Wellington said there was a limit, but it was not enforced.

Councilor Ralston said he knew of people that had been cited for having a certain number of dogs. He asked how many dogs were allowed per household.

Mr. Wellington said in the unincorporated areas of Lane County, eight dogs were allowed. He explained how the fee schedule had been set up regarding the number of dogs an owner had at their home. He said they had tried to be pet friendly with people that had up to eight dogs.

Councilor Ralston said if there was not a rabies issue, there was no benefit in increasing the compliance rate. He said it seemed like an intrusion into pet owner's rights and seemed like a revenue generator.

Ms. Jones said it was a revenue generator to get dog owners to pay for the animal control services.

Councilor Ralston discussed the issues with pet owners.

Ms. Jones said the regulation allowing kennels within city limits was up to the City of Springfield zoning.

Chief Smith said the Animal Control office for the city had been working with the local veterinarians and there had been an increase in licensing in Springfield. He said licensing provided assistance when finding a dog at large and locating its home. If a dog had a license, the city knew they had a rabies vaccination.

Councilor Woodrow asked what other counties had been checked with regarding such an ordinance.

Mr. Wellington said Washington, Multnomah and others listed in the packet that was distributed. He said it was done across the nation.

Councilor Woodrow said in the areas where he had lived, this type of requirement was due to a rabies problem. He said he felt it was an intrusion on pet owners and the veterinarians. He said everyone should have their dog licensed and vaccinated, but he was not in favor of going forward with this type of requirement.

Councilor Ballew said from a public health standpoint, people should license their dogs. Having an animal control officer had made a tremendous difference. She said owning a dog was a

privilege, not a right. She said she was not in favor of the higher fees, but understood cost recovery. She did not know if veterinarians should be required to report this. She would be supportive, although she had some doubts.

Mr. Kelly said if council wanted to pursue an ordinance, staff would prepare a draft ordinance and hold a public hearing. He asked council for direction.

Councilor Fitch said she saw both sides of this issue. She noted the benefit of having the dogs licensed. She said she would not be opposed to having a public hearing to hear what the public had to say about this and their reasoning. She said the information on the dogs should be kept confidential.

Mr. Wellington said it was noted in the packet that all information was considered confidential and would only go to law enforcement and hospitals. He asked council to read over the packet.

Mayor Leiken said he agreed with this going to a public hearing and hearing from both sides.

Chief Smith said the city did not want to draft a resolution that would require the veterinarians to submit the information to the city under the current structure. He said the city did not currently have the database or the personnel to enforce. He discussed how Lane County was gaining compliance. He said he didn't feel we would gain a lot of compliance by enacting such an ordinance or resolution.

ADJOURNMENT

The meeting was adjourned at 6:35 pm.

Minutes Recorder – Amy Sowa

Sidney W. Leiken
Mayor

Attest:

Amy Sowa
City Recorder